

Before the
Federal Communications Commission
Washington, D.C. 20554

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JUN 25 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Cellular Telecommunications Industry)
 Association's Petition for Forbearance From)
 Commercial Mobile Radio Services Number)
 Portability Obligations)

WT Docket No. 98-229

and)

Telephone Number Portability)

CC Docket No. 95-116

COMMENTS ON PETITIONS FOR RECONSIDERATION

MCI WorldCom Inc. ("MCI WorldCom") files these comments on the Petitions for Reconsideration filed by the Pennsylvania Public Utility Commission ("PaPUC"), the Telecommunications Resellers Association ("TRA") and GTE Service Corp. ("GTE") in the matter of the *Memorandum Opinion and Order* in this proceeding.¹

INTRODUCTION

In its *Memorandum Opinion and Order*, the Commission granted the request of the Cellular Telecommunications Industry Association ("CTIA") for forbearance from service provider local number portability ("LNP") requirements for broadband commercial mobile radio service ("CMRS") providers, until the end of the five-year buildout period for broadband personal communications service ("PCS") carriers.² In

¹ Cellular Telecommunications Industry Association's Petition for Forbearance from Commercial Mobile Radio Services Number Portability Obligations, Memorandum Opinion and Order, WT Docket No. 98-229, CC Docket No. 95-116 (adopted February 8, 1999; rel. February 9, 1999).

² Petition for Forbearance of the Cellular Telecommunications Industry Association (filed December 16, 1997) (Forbearance Petition).

granting the petition, the Commission extended the deadline for CMRS providers to support service provider LNP in the top 100 metropolitan statistical areas ("MSAs") until November 24, 2002.

MCI WorldCom, the PaPUC and TRA all seek to have the Commission reinstate the March 31, 2000 wireless LNP implementation date. GTE seeks to have the Commission forbear completely from requiring wireless carriers to implement LNP.

GTE argues misleadingly that the Commission must forbear completely under Section 10 of the Communications Act from requiring the implementation of wireless LNP, not just extend the date for such implementation.

MCI WorldCom disagrees with GTE's erroneous assertions. However characterized, it is clearly within the Commission's power and ability to change implementation dates for Commission Orders. The Commission has various alternatives, including rule changes and waivers, to extend the implementation date in accordance with the public interest. Obviously, many members of the wireless industry disagree with GTE's analysis and understand that it is well within the Commission's purview to "forbear" from a specified deadline by extending that date, and to categorize that extension as a limited forbearance. In fact, CTIA requested the Commission to do exactly that—forbear from imposing wireless LNP implementation until the completion of the five-year buildout period for PCS providers.

GTE has not shown that complete forbearance is warranted under Section 10. More importantly, the FCC has already determined that the benefits to consumers and competition from the participation of wireless carriers in LNP are significant. Given

these significant benefits, it is inconceivable that permanent forbearance could be warranted.

MCI WorldCom again urges the Commission to reinstate the previously ordered date of March 31, 2000 for wireless LNP implementation. The public interest, competitive parity and number resource optimization (“NRO”) efforts require all carriers to be able to freely compete for and serve customers and to participate fully in maximum efficient number use and conservation endeavors for the benefit of all consumers. The nation’s consumers deserve no less than the benefit of full competition among all telecommunications service providers. The competitive local exchange carrier (“CLEC”) industry faced, and continues to face the need to build out their networks to reach customers. But the CLEC industry shouldered the financial burdens necessary to implement LNP in order to enable more robust competition. The public interest on behalf of customers must come first, not financial considerations.

There is no substitute for competition. Like TRA, MCI WorldCom agrees that competition is essential to ensure that telecommunications rates, terms and conditions are reasonable and not unreasonably discriminatory. MCI WorldCom agrees with TRA that there is no such thing as “enough” competition.³ Competition means more than just multiple carriers in a given market for metropolitan areas. The Commission ordered wireline carriers to implement LNP because LNP is a critical foundation for competition. As Congress recognized, consumers must be able to pick and choose among carriers while retaining telephone numbers.⁴

³ TRA Petition, p 8.

⁴ Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, Section 251, (b)(2).

Consumers also deserve the involvement of all industry segments in optimization measures intended to lessen the disruptive effects and increased costs associated with needless area code exhaust. The number conservation benefits of LNP-based optimization measures are maximized when all industry segments participate. Carriers not participating in efficient number utilization efforts such as 1,000-block pooling and administration among others are indeed part of the problem, not part of the solution despite claims to the contrary.

A handwritten signature in cursive script, reading "Anne F. La Lena". The signature is written in dark ink and is positioned above a horizontal line.

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Date: June 25, 1999

CERTIFICATE OF SERVICE

I, Barbara Nowlin, hereby certify that a copy of the foregoing Comments of MCIWorldCom filed in WT Docket 98-229, CC Docket No. 95-116 was served on this 25th day of June by first class mail upon the following:

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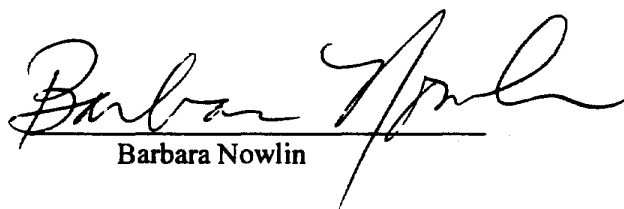
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